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OFFICE OF PETITIONS

Eli M Noam
450 Riverside Drive # 51
New York NY 10027

In re Patent No.: 7,203,657

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Issue Date: April 10, 2007

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Application No.: 09/655,520

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ON PETITION

Filed: September 5, 2000

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Attorney Docket No.

This is a decision on the petition to reinstate the above-cited patent pursuant to 37 CFR 1.378(c), filed September 10, 2012.

The petition is DISMISSED.

If reconsideration of this decision is desired, a petition for reconsideration under 37 CFR 1.378(e) must be filed within TWO (2) MONTHS from the mail date of this decision. No extension of this two month time limit can be granted under 37 CFR 1.136(a) or (b). This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

Any petition for reconsideration of this decision must be accompanied by the petition fee of \$400.00 as set forth in 37 CFR 1.17(h). The petition for reconsideration must include the lacking item(s) noted above since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Commissioner.

The above-identified patent issued on April 10, 2007. Therefore, the grace period in 35 U.S.C. § 41(b) for paying the 3.5 year maintenance fee expired at midnight on April 10, 2011.

A petition to accept the unintentionally delayed payment of a maintenance fee under 35 U.S.C. § 41(c) and 37 CFR 1.378(c) must be accompanied by: (1) a statement that the delay was unintentional; (2) payment of the appropriate maintenance fee, unless previously submitted; (3) payment of the surcharge set forth in 37 CFR 1.20(i)(2). This petition lacks item (3) above.

As to item (3), the 3.5 year maintenance fee for a small entity is currently \$565.00. The instant petition was accompanied by only \$490.00 for the maintenance fee. Further, petitioner is advised that, effective October 5, 2012, the fee for the 3.5-year maintenance for a small entity will be increased to \$575.00. The renewed petition must be accompanied by the appropriate amount to satisfy the full payment of the 3.5-year maintenance fee.

Further correspondence with respect to this matter should be addressed as follows:

In re Patent No. 7,203,657

By mail: Commissioner for Patents
 United States Patent and Trademark Office
 Box 1450
 Alexandria, VA 22313-1450

By facsimile: (571) 273-8300
 Attn: Office of Petitions

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3222.

/Kenya A. McLaughlin/

Kenya A. McLaughlin
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